

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DEWARREN M. HARRIS,

Civil No.: 16-2640 (JRT/FLN)

Plaintiff,

v.

CONTINENTAL CONTITECH NORTH
AMERICA, INC., THE GOODYEAR
TIRE AND RUBBER COMPANY,
VEYANCE TECHNOLOGIES, INC.,
CAMPBELL FITTINGS, INC., and
LEWIS-GOETZ and COMPANY, INC.,

Defendants,

**ORDER GRANTING LEAVE TO FILE AND
SERVE THE
SECOND AMENDED COMPLAINT AND
REMAND**

and

CAMPBELL FITTINGS, INC.,

Defendant and Third-Party

Plaintiff,

v.

SUMMIT BREWING COMPANY,

Third-Party Defendant.

Bruce M. Rivers, **RIVERS LAW FIRM, P.A.**, 701 Fourth Avenue South, Suite 300, Minneapolis, MN 55415, Daniel J. Cragg, Jared M. Reams, **ECKLAND & BLANDO, LLP**, 800 Lumber Exchange, 10 South Fifth Street, Minneapolis, MN 55402, for plaintiff.

Alice Chen Smith, Anthony Latiolait, **YOKA & SMITH, LLP**, 445 South Figueroa Street, Suite 38th Floor, Los Angeles, CA 90071, Hilary Loynes Palazzolo, Richard Bale, **LARSON KING, LLP**, 30 East Seventh Street,

Suite 2800, St Paul, MN 55101-4922, for defendant ContiTech North America, Inc.

David Schooler, Jordan Weber, **BRIGGS & MORGAN, PA**, 80 South Eighth Street, Suite 2200, Minneapolis, MN 55402, Juliane M. Rodriguez, Edward S. Bott, Jr, **GREENSFELDER, HEMKER, & GALE, P.C.**, 10 South Broadway, Suite 2000, St. Louis, MO 63102, for defendant The Goodyear Tire & Rubber Company.

Wade T. Johnson, Keith Kerfeld, **TWEKSURY & KERFELD**, 88 South Tenth Street, Suite 300, Minneapolis, MN 55403, for defendant and third-party Campbell Fittings, Inc.

Brian M. McSherry, Timothy Leer, **O'MEARA LEER WAGNER & KOHL, PA**, 7401 Metro Boulevard, Suite 600, Minneapolis, MN 55439-3034, for defendant Lewis-Goetz and Company, Inc.

Scott A. Brehm, **KELLY R. RODIECK & ASSOCIATES**, 385 Washington Street, Suite Lc12s, St. Paul, MN 55102, for third-party defendant Summit Brewing Company.

The Parties have filed a Stipulation for Leave to File and Serve Second Amended Complaint and for Remand. Based on the files, record, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. With good cause shown, the Parties' Stipulation for Leave to File and Serve Second Amended Complaint is **ACCEPTED**.
2. Plaintiff is granted leave to amend the First Amended Complaint to join Able Hose & Rubber, Inc. and Pro Flow Dynamics, LLC as defendants.
3. Plaintiff is granted leave to file and serve the Second Amended Complaint.
4. Upon the filing of proof of service of the Summons and Second Amended Complaint on Able Hose and Rubber, Inc., and no sooner, this action shall be **REMANDED** to Ramsey County District Court, Second Judicial District, State of

Minnesota pursuant to 28 U.S.C. § 1447(e). The Clerk of Court is directed to take all necessary actions to effectuate the remand of this case at that time, including mailing a certified copy of this order to the Court Administrator of the Second Judicial District, pursuant to 28 U.S.C. § 1447(c).

Dated: September 6, 2017
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court